


FEDERAL REGISTER
 THE NATIONAL ARCHIVES
 OF THE UNITED STATES
 1934
 VOLUME 3 NUMBER 95

Washington, Saturday, May 14, 1938

PRESIDENT OF THE UNITED STATES.

TALLADEGA NATIONAL FOREST—ALABAMA

By the President of the United States of America

A PROCLAMATION

WHEREAS certain lands adjacent to the Talladega National Forest, in the State of Alabama, have been acquired or are in process of acquisition by the United States through the Farm Security Administration or its predecessors under authority of the National Industrial Recovery Act, approved June 16, 1933 (48 Stat. 195), and the Emergency Relief Appropriation Act of 1935, approved April 8, 1935 (49 Stat. 115); and

WHEREAS it appears that the said lands are suitable for national-forest purposes and that it would be in the public interest to reserve such lands as part of the said Talladega National Forest:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the power vested in me by section 24 of the act of March 3, 1891, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, sec. 471), the act of June 4, 1897, 30 Stat. 34, 36 (U. S. C., title 16, sec. 473), the said National Industrial Recovery Act, and the said Emergency Relief Appropriation Act of 1935, do proclaim that there are hereby reserved and set apart as an addition to the Talladega National Forest all lands which have been acquired or which are in course of acquisition by the United States through the Farm Security Administration or its predecessors within the area shown on the diagram attached hereto¹ and made a part hereof under authority of the said National Industrial Recovery Act and the said Emergency Relief Appropriation Act of 1935, and further, that all lands therein which may hereafter be acquired by the United States under authority of the act of March 1, 1911, ch. 186, 36 Stat. 951 (U. S. C., title 16, sec. 521), as amended by the act of June 7, 1924, ch. 348, 43 Stat. 653 (U. S. C., title 16, sec. 515), shall, upon their acquisition, be reserved and administered as part of the Talladega National Forest.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this eleventh day of May in the year of our Lord nineteen hundred and thirty-eight, and of the Independence of the United States of America the one hundred and sixty-second.

FRANKLIN D. ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

[No. 2285]

[F. R. Doc. 38-1376; Filed, May 13, 1938; 12:15 p. m.]

¹ See Page 1105.

WAR DEPARTMENT.

SPECIAL REGULATIONS TO GOVERN THE OPERATION OF DRAW-BRIDGES OVER THE BLACK RIVER, WISCONSIN

Supplemental to rules and regulations to govern the operation of the drawbridges crossing the Mississippi River and all its navigable tributaries and outlets.

THE LAW

The River and Harbor Act of August 18, 1894, contains the following section:

[Here follows, in the original document, the text of Section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362), which may be found at 3 F. R. 1056 (D.I.).]

THE REGULATIONS

In pursuance of the foregoing law, the following special regulations are prescribed to govern the operation of drawbridges over Black River, Wisconsin.

1. The owners of, or agencies controlling, the bridges will not be required to keep draw tenders in constant attendance at the above-mentioned bridges.

2. Whenever a vessel unable to pass under a closed bridge desires to pass through the draw, at least 24 hours' advance notice of the time the opening is required shall be given to the authorized representative of the owner of, or agency controlling, the bridge.

3. Upon receipt of such notice, the authorized representative of the owner of, or agency controlling, the bridge, in compliance therewith, shall arrange for the prompt opening of the draw at the time specified in the notice for the passage of the vessel.

4. The owners of, or agencies controlling, the bridges shall keep conspicuously posted on both the upstream and downstream sides of the bridges in a manner that it can easily be read at any time a copy of these regulations, together with a notice stating exactly how the representatives specified in paragraph 2 may be reached.

5. The operating machinery of the draws shall be maintained in a serviceable condition, and the draws opened and closed at least once each quarter to make certain that the machinery is in proper order for satisfactory operation.

6. These regulations shall take effect and be in force on and after the date of approval hereof, and shall supersede any provisions heretofore made to govern the operation of the above-named bridges.

Approved April 29, 1938.

[SEAL]

HARRY H. WOOSRING,
Secretary of War.

[F. R. Doc. 38-1369; Filed, May 13, 1938; 9:41 a. m.]



Published by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. L. 500), under regulations prescribed by the Administrative Committee, with the approval of the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$1 per month or \$10 per year; single copies 10 cents each; payable in advance. Remit by money order payable to Superintendent of Documents, Government Printing Office, Washington, D. C.

Correspondence concerning the publication of the FEDERAL REGISTER should be addressed to the Director, Division of the Federal Register, The National Archives, Washington, D. C.

TABLE OF CONTENTS

Department of the Interior:

| | |
|--|------|
| National Bituminous Coal Commission: | Page |
| Texas, hearing to determine whether certain coals are subject to provisions of Bituminous Coal Act of 1937, etc. | 1106 |

Department of Labor:

| | |
|---|------|
| Children's Bureau: | |
| Social Security Act grants to States for maternal and child welfare, amendment to regulations. | 1106 |

Federal Communications Commission:

| | |
|---|------|
| Allocation of frequencies, amendment to Rule 229. | 1107 |
|---|------|

Federal Deposit Insurance Corporation:

| | |
|--|------|
| Certified statement forms, resolution approving. | 1108 |
|--|------|

Federal Power Commission:

| | |
|---|------|
| Pennsylvania Power & Light Co., order postponing hearing in the matter of. | 1108 |
|---|------|

Federal Trade Commission:

| | |
|---|------|
| Rippner, Harry A. and Louis G., doing business as John Hancock Pen Co. | 1108 |
|---|------|

President of the United States:

| | |
|---|------|
| Proclamation: | |
| Talladega National Forest, Ala., addition to. | 1103 |

Rural Electrification Administration:

| | |
|---------------------------------|------|
| Allocation of funds for loans. | 1108 |
| Amendment of prior allocations. | 1108 |

Securities and Exchange Commission:

| | |
|--|------|
| Market Street Railway Co., common stock, etc., order setting hearing on application to extend unlisted trading privileges. | 1108 |
|--|------|

War Department:

| | |
|---|------|
| Regulations governing operation of bridges over: | |
| Black River, Wis. | 1103 |
| Brandywine River, at Seventh Street, Wilming- | |
| ton, Del. | 1104 |
| Minnesota River, between its mouth and Le Sueur, Minn. | 1104 |

RULES AND REGULATIONS TO GOVERN THE HIGHWAY BRIDGE ACROSS BRANDYWINE RIVER, AT SEVENTH STREET, WILMINGTON, DELAWARE

THE LAW

The River and Harbor Act of August 18, 1894, contains the following section:

[Here follows, in the original document, the text of Section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362), which may be found at 3 F. R. 1056 (D).]

THE REGULATIONS

In pursuance of the foregoing law, the following regulations are prescribed to govern the operation of the highway bridge across the Brandywine River at Seventh Street, Wilmington, Delaware.

1. The owner of, or agency controlling the bridge shall provide the appliances and the personnel necessary for the safe, prompt and efficient opening of the draw at any time during the day or night for the passage of any vessel or other water craft which cannot pass under the closed draw, when the following signal is received:

Three (3) blasts of a whistle or horn.

When the draw of the bridge can be opened immediately, the draw tender shall reply by:

Two (2) blasts of a whistle or horn.

When the draw of the bridge cannot be opened immediately, or when the bridge is open and is to be closed immediately, the draw tender shall reply by:

One (1) blast of a whistle or horn.

2. Vehicles shall not be stopped on the draw span, in such manner as to delay the operation of the draw except in case of urgent necessity, nor shall vessels be moored to the bridge fenders or so maneuvered as to unnecessarily hinder or delay the closing of the draw, but all passage over, through, or under the bridge shall be prompt to avoid delay to either land or water traffic.

3. The owner of, or agency controlling, the bridge shall provide and keep in good legible condition two board gauges painted white with black figures not less than 6 inches high, to indicate the head room clearance under the closed span at all stages of the tide. These gauges shall be so placed on the ends of the draw span fenders that they will be plainly visible to the navigators of a vessel approaching the bridge from either direction.

4. These regulations shall take effect and be in force on and after May 15, 1938.

Approved April 29, 1938.

[SEAL]

HARRY H. WOODRING,
Secretary of War.

[F. R. Doc. 38-1371; Filed, May 13, 1938; 9:42 a. m.]

SPECIAL REGULATIONS TO GOVERN THE OPERATION OF THE DRAWBRIDGES CROSSING THE MINNESOTA RIVER BETWEEN ITS MOUTH AND LE SUEUR, MINNESOTA

Supplemental to rules and regulations to govern the operation of the drawbridges crossing the Mississippi River and all its navigable tributaries and outlets.

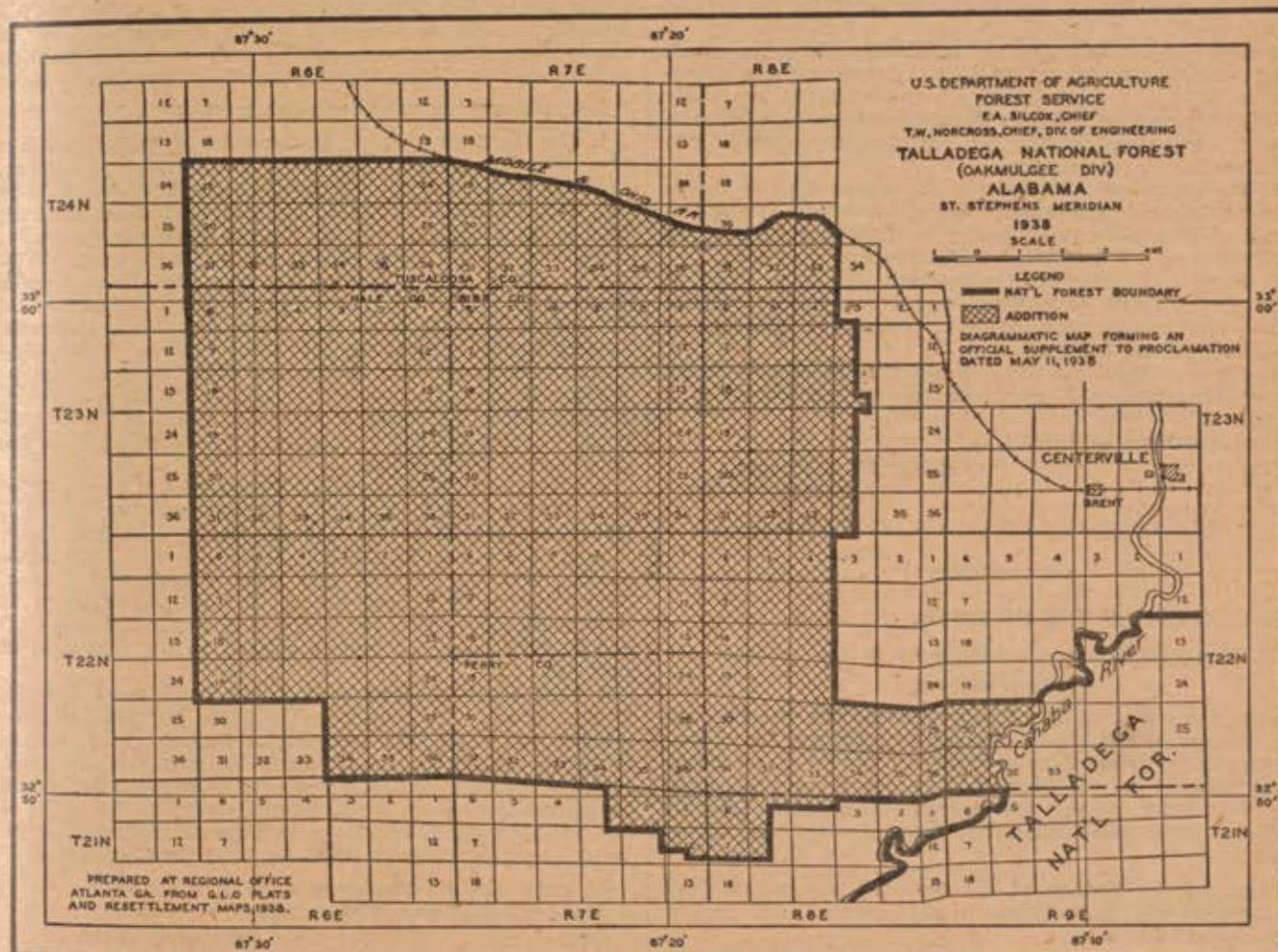
THE LAW

The River and Harbor Act of August 18, 1894, contains the following section:

[Here follows, in the original document, the text of Section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362), which may be found at 3 F. R. 1056 (D).]

THE REGULATIONS

In pursuance of the foregoing law, the following special regulations are prescribed to govern the operation of all



This diagram accompanies Proclamation No. 2285 which appears on Page 1103.

drawbridges which are now or which may hereafter be constructed across the Minnesota River between its mouth and Le Sueur, Minnesota.

1. The owners of, or agencies controlling, the bridges will not be required to keep draw tenders in constant attendance at the above-mentioned bridges.

2. Whenever a vessel unable to pass under a closed bridge desires to pass through the draw, at least 24 hours' advance notice of the time the opening is required shall be given to the authorized representative of the owner of, or agency controlling, the bridge.

3. Upon receipt of such notice, the authorized representative of the owner of, or agency controlling the bridge, in compliance therewith, shall arrange for the prompt opening of the draw at the time specified in the notice for the passage of the vessel.

4. The owners of, or agencies controlling the bridges shall keep conspicuously posted on both the upstream and downstream sides of the bridges in a manner that it can easily be read at any time a copy of these regulations, together with notices stating exactly how the representatives specified in paragraph 2 may be reached.

5. The operating machinery of the draws shall be maintained in a serviceable condition, and the draws opened and closed at least once each quarter to make certain that the machinery is in proper order for satisfactory operation.

6. These regulations shall take effect and be in force on and after the date of approval hereof, and shall supersede any provisions heretofore made to govern the operation of the above-named bridges.

7. For the Minnesota River, Minnesota, at and above Le Sueur, Minnesota, no special or general regulations shall apply.

Approved April 29, 1938.

[SEAL]

HARRY H. WOODRING,
Secretary of War.

[F. R. Doc. 38-1370; Filed, May 13, 1938; 9:42 a. m.]

DEPARTMENT OF THE INTERIOR.

National Bituminous Coal Commission.

[Docket No. 70-FD]

ORDER IN THE MATTER OF A PUBLIC HEARING FOR THE PURPOSE OF RECEIVING EVIDENCE TO ENABLE THE COMMISSION TO DETERMINE WHETHER CERTAIN COALS IN THE STATE OF TEXAS ARE SUBJECT TO THE PROVISIONS OF THE BITUMINOUS COAL ACT OF 1937, AND FOR THE FURTHER PURPOSE OF HEARING APPLICATIONS FOR EXEMPTION PROVIDED FOR BY ORDER NO. 28

At a Regular Session of the National Bituminous Coal Commission Held at its Offices in Washington, D. C., on the 11th day of May, 1938.

It appearing that on the 20th day of October, 1937, the Commission entered its Order No. 61¹ providing for a public hearing to be held at the Adolphus Hotel, Dallas, Texas, on the 15th day of November, 1937, commencing at the hour of 10:00 A. M. for the purpose of receiving evidence to enable the Commission to determine whether certain coals in the State of Texas are subject to the provisions of the Bituminous Coal Act of 1937, and for the further purpose of hearing applications for certificates of exemption as provided for by Order No. 28.² The Commission assigned the cause to an examiner of the Commission for a hearing at the time and place designated by said Order No. 61; and

It further appearing that due and proper notice of said hearing was given to all interested parties and the cause came on to be heard pursuant to Order No. 61; and the evidence being adduced and being submitted to the examiner, the examiner filed his report in the above entitled

matter with the Secretary of the Commission; copies of which were thereafter served upon interested parties in conformance with Rule XXIII of the Rules of Practice and Procedure of the Commission. The examiner filed separate reports with respect to the applications for certificates of exemption filed pursuant to Order No. 28 which were heard by the examiner in conjunction with the hearing in this matter and which have been treated separately by the Commission. More than fifteen days have elapsed since said service, and no exceptions to the said report have been filed with the Commission; and

The Commission being fully advised of the evidence adduced at the hearing as the same is contained in the official transcripts of the testimony and documentary evidence filed herein, finds that the proposed findings of fact and the conclusions submitted by the examiner are, in all respects, true and correct, and the same are hereby adopted as the findings of fact and conclusions of the Commission;

Now, therefore, it is by order determined:

1. The underlying coal in the counties of Anderson, Atascosa, Bastrop, Brazos, Burleson, Camp, Cass, Cherokee, Franklin, Freestone, Frio, Gonzales, Gregg, Harrison, Henderson, Houston, Karnes, LaSalle, Lee, Leon, McMullen, Madison, Marion, Montgomery, Morris, Nacogdoches, Panola, Rains, Robertson, Rusk, Savine, Shelby, Smith, Titus, Upshur, Van Zandt, Wilson, Wood, Zapata, Angelina, Bee, Bexar, Bowie, Caldwell, Delta, DeWitt, Duval, Falls, Fayette, Goliad, Grimes, Guadalupe, Hopkins, Hunt, Jim Hogg, Jim Wells, Kaufman, Lamar, Lavaca, Limestone, Live Oak, Medina, Milam, Navarro, Red River, San Augustine, Starr, Travis, Trinity, Walker, Washington, and Williamson, in the State of Texas, is lignite within the meaning of Section 17 (b) of the Bituminous Coal Act of 1937, and is therefore exempted from the provisions of the said Act.

2. That the underlying coal in the counties of Brown, Coleman, Eastland, Jack, Palo Pinto, Stephens, Archer, Brewster, Callahan, Clay, Comanche, Concho, Erath, Hamilton, Hood, Kinney, Lampasas, McCulloch, Maverick, Mills, Montague, Parker, Presidio, Runnels, San Saba, Shackelford, Taylor, Throckmorton, Wise, and Young, in the State of Texas, is bituminous coal within the meaning of the Bituminous Coal Act of 1937, and is therefore subject to the provisions of said Act.

3. That the underlying coal in the counties of Dimmit, Uvalde, Webb, and Zavala, in the State of Texas, is bituminous coal within the meaning of Section 17 (b) and is therefore subject to the provisions of said Act. In these counties in which the line of demarcation between lignite and bituminous coal areas is not definitely known, the lignite if any, in said counties cannot be exempted except upon application in conformity with Order No. 28 of the Commission.

By order of the Commission.

Dated this 11th day of May, 1938.

[SEAL]

EDGAR C. FARIS, Jr.,
Acting Secretary.

[F. R. Doc. 38-1372; Filed, May 13, 1938; 9:47 a. m.]

DEPARTMENT OF LABOR.

Children's Bureau.

AMENDMENT TO RULES AND REGULATIONS FOR ADMINISTRATION OF PARTS 1, 2, AND 3 OF TITLE V OF THE SOCIAL SECURITY ACT—GRANTS TO STATES FOR MATERNAL AND CHILD WELFARE

MAY 11, 1938.

By virtue of and pursuant to the authority contained in Section 1102 of the Social Security Act (Act of August 14, 1935; 49 Stat. 647; 42 U. S. C. 1302), Sections 7, 10, 11, 17, the first paragraph of Section 19, Sections 20 and 21 of the Rules and Regulations prescribed on January 20, 1938,³ for

¹ 2 F. R. 2803 (DI).

² 2 F. R. 1581 (DI).

³ 3 F. R. 229 (DI).

the administration by the Children's Bureau of Parts 1, 2, and 3 of Title V of the said Social Security Act are amended to read as follows:

Sec. 7. Private funds.—Funds obtained from private sources which are made fully available for expenditure under the approved State plan may be included in the computation of the extent to which the State health agency proposes to match its allotment from Fund A. But on and after July 1, 1938, this shall not apply to funds provided by private agencies or institutions whose facilities are to be used in carrying out the State plan under arrangements involving compensation for such use from Federal, State, or other funds brought within the plan. Private funds shall be placed on deposit in accordance with the State law, but if there is no State law applicable to this procedure, the funds shall be deposited with the State treasurer, the treasurer of a political subdivision, or in a private depository, in a special account to the credit of the State health agency. If the funds are deposited with the State treasurer or the treasurer of a political subdivision, the certificate of the treasurer shall be furnished showing the deposit of such funds in a special account to the credit of the State health agency. If the funds are placed in a private depository, the certificate of an officer of the private depository shall be furnished showing the deposit of such funds in a special account to the credit of the State health agency. (Sec. 1102, 49 Stat. 647, 42 U. S. C. 1302; Sec. 504, 49 Stat. 630, 42 U. S. C. 704.)

Sec. 10. Quarterly reports of activities.—Reports prepared on official forms shall be submitted by the executive officer of the State health agency to the Bureau at the end of each quarter. They shall contain a statement of the activities conducted by the State health agency or under its supervision in carrying out the State plan. Other reports shall be furnished from time to time as required. (Sec. 1102, 49 Stat. 647, 42 U. S. C. 1302; Sec. 503, 49 Stat. 630, 42 U. S. C. 703.)

Sec. 11. Quarterly financial reports; adjustments.—Financial reports on official forms shall be submitted to the Bureau at the end of each quarter. The Bureau shall determine the amounts of adjustments necessary to equalize expenditures of funds paid to the State by the Federal Government from Fund A allotments and expenditures of State and other matching funds, and shall notify the State of the amounts of such adjustments. Adjustment of the amounts to be certified for payment to the State each quarter from its allotments for maternal and child health services shall be made in accordance with such determinations and notifications, and after taking into consideration any overpayment or underpayment to the State in prior quarters. (Sec. 1102, 49 Stat. 647, 42 U. S. C. 1302; Sec. 503, 49 Stat. 630, 42 U. S. C. 703; Sec. 504, 49 Stat. 630, 42 U. S. C. 704.)

Sec. 17. Private funds.—Funds obtained from private sources which are made fully available for expenditure under the approved State plan may be included in the computation of the extent to which the official State agency proposes to match its allotment from Federal funds. But on and after July 1, 1938, this shall not apply to funds provided by private agencies or institutions whose facilities are to be used in carrying out the State plan under arrangements involving compensation for such use from Federal, State, or other funds brought within the plan. Private funds shall be placed on deposit in accordance with the State law, but if there is no State law applicable to this procedure, the funds shall be deposited with the State treasurer, the treasurer of a political subdivision, or in a private depository, in a special account to the credit of the official State agency. If the funds are deposited with the State treasurer or the treasurer of a political subdivision, the certificate of the treasurer shall be furnished showing the deposit of such funds in a special account to the credit of the official State agency. If the funds are placed in a private depository, the certificate of an officer of the private depository shall be furnished, showing the deposit of such funds in a special account to the credit of the official State agency. (Sec. 1102,

49 Stat. 647, 42 U. S. C. 1302; Sec. 514, 49 Stat. 632, 42 U. S. C. 714.)

Sec. 19. Expenditures.—A State shall expend all funds paid to it by the Federal Government for expenditure under the approved State plan and all State and other funds used for matching under the plan in behalf of children who are crippled or suffering from conditions which lead to crippling for the following purposes only: location; diagnosis; medical and surgical treatment; care in hospitals, institutions and boarding homes during periods of medical or surgical treatment or convalescence; and supervision in their own homes. But such funds shall not be expended for any of the following purposes: academic or vocational education of crippled children; general preventive health services; orthodontia, except that associated with congenital malformation; or the purchase of glasses to correct defects of vision, except for children receiving treatment for crippling conditions under the State plan.

Sec. 20. Quarterly reports of activities.—Reports prepared on official forms shall be submitted by the executive officer of the official State agency to the Bureau at the end of each quarter. They shall contain a statement of the activities conducted by the official State agency or under its supervision in carrying out the State plan. Other reports shall be furnished from time to time as required. (Sec. 1102, 49 Stat. 647, 42 U. S. C. 1302; Sec. 513, 49 Stat. 632, 42 U. S. C. 713.)

Sec. 21. Quarterly financial reports; adjustments.—Financial reports on official forms shall be submitted to the Bureau at the end of each quarter. The Bureau shall determine the amounts of adjustments necessary to equalize expenditures of funds paid to the State by the Federal Government and expenditures of State and other matching funds, and shall notify the State of the amounts of such adjustments. Adjustment of the amounts to be certified for payment to the State each quarter from its allotments for crippled children's services shall be made in accordance with such determinations and notifications, and after taking into consideration any overpayment or underpayment to the State in prior quarters. (Sec. 1102, 49 Stat. 647, 42 U. S. C. 1302; Sec. 513, 49 Stat. 632, 42 U. S. C. 713; Sec. 514, 49 Stat. 632, 42 U. S. C. 714.)

Section 29 of the said Rules and Regulations is renumbered Section 30. New Section 29 shall read as follows:

Sec. 29. Quarterly financial reports; adjustments.—Financial reports on official forms shall be submitted to the Bureau at the end of each quarter. Adjustment of the amounts to be certified for payment to the State each quarter from its allotments for child welfare services shall be made after taking into consideration any overpayment or underpayment to the State in prior quarters. (Sec. 1102, 49 Stat. 647, 42 U. S. C. 1302; Sec. 521, 49 Stat. 633, 42 U. S. C. 721.)

[SEAL]

FRANCES PERKINS,
Secretary of Labor.

Approval recommended.

KATHARINE F. LENROOT,

Chief of the Children's Bureau.

[F. R. Doc. 38-1374; Filed, May 13, 1938; 10:36 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

ALLOCATION OF FREQUENCIES

AMENDMENT TO RULE 229

The Commission, en banc, at a meeting held April 26, 1938, amended Rule 229 to read in part as follows:

| Frequency | Allocation |
|-----------|---|
| 8340 | Ship telegraph and coastal telegraph. |
| 8630 | Coastal telegraph and coastal phone. |
| 8660 | General experimental and coastal phone. |

[SEAL]

T. J. SLOWIE, Secretary.

[F. R. Doc. 38-1367; Filed, May 13, 1938; 9:41 a. m.]

FEDERAL DEPOSIT INSURANCE CORPORATION.

RESOLUTION APPROVING CERTIFIED STATEMENT FORMS

Paragraph (1) of subsection (h) of Section 12B of the Federal Reserve Act, as amended, provides in part:

The certified statements required to be filed with the Corporation under paragraphs (2), (3), and (4) of this subsection shall be in such form and set forth such supporting information as the board of directors shall prescribe.

Resolved, That pursuant to the provisions of paragraph (1) of subsection (h) of Section 12B of the Federal Reserve Act, as amended, the following described certified statement forms¹ be approved:

(1) Certified Statement—Part One, Based on Deposits for the Six Months Ending June 30, 1938, Form 545F, in quadruplicate.

(2) Recapitulation of the Monthly Totals of Certified Statement—Part Two, for the Six Months Ending June 30, 1938, Form 555F, in triplicate.

Adopted by the Board of Directors of the Federal Deposit Insurance Corporation on April 4, 1938.

[SEAL]

AGNES C. MURPHY,
Acting Secretary.

[F. R. Doc. 38-1375; Filed, May 13, 1938; 11:24 a. m.]

FEDERAL POWER COMMISSION.

[Project No. 487]

IN THE MATTER OF PENNSYLVANIA POWER & LIGHT COMPANY,
LICENSEE

ORDER POSTPONING HEARING

MAY 12, 1938.

Commissioners: Clyde L. Seavey, Acting Chairman; Claude L. Draper, Basil Manly, John W. Scott.

Upon application of Counsel for Pennsylvania Power & Light Company, Licensee for Project No. 487, Pennsylvania, for postponement of the hearing heretofore ordered to be held beginning at 10:00 A. M. on the 15th day of June, 1938, by the Commission's order of April 29, 1938;²

It is ordered that:

Said hearing be and the same hereby is postponed to begin at 10:00 A. M. on the 27th day of June, 1938, in the Hearing Room of the Commission, Hurley Wright Building, 1800 Pennsylvania Avenue NW, Washington, D. C.

By the Commission.

[SEAL]

LEON M. FUQUAY, Secretary.

[F. R. Doc. 38-1368; Filed, May 13, 1938; 9:41 a. m.]

FEDERAL TRADE COMMISSION.

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 12th day of May, A. D. 1938.

Commissioners: Garland S. Ferguson, Chairman; Charles H. March, Ewin I. Davis, William A. Ayres, Robert E. Freer.

¹ Filed as part of the original document with the Division of the Federal Register, The National Archives; requests for copies should be addressed to the Federal Deposit Insurance Corporation.

² 3 F. R. 1033 (DI).

[Docket No. 3244]

IN THE MATTER OF HARRY A. RIPPNER AND LOUIS G. RIPPNER, INDIVIDUALLY, AND DOING BUSINESS UNDER THE TRADE NAME AND STYLE OF JOHN HANCOCK PEN COMPANY

ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U. S. C. A. Section 41),

It is ordered, That Miles J. Furnas, an examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Friday, June 3, 1938, at nine o'clock in the forenoon of that day (eastern standard time) in Room 531, Federal Building, Cleveland, Ohio.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The examiner will then close the case and make his report.

By the Commission.

[SEAL]

OTIS B. JOHNSON, Secretary.

[F. R. Doc. 38-1373; Filed, May 13, 1938; 9:53 a. m.]

RURAL ELECTRIFICATION ADMINISTRATION.

[Administrative Order No. 246]

ALLOCATION OF FUNDS FOR LOANS

MAY 9, 1938.

By virtue of the authority vested in me by the provisions of Section 4 of the Rural Electrification Act of 1936, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

| Project designation: | Amount |
|--------------------------------|----------|
| Washington 8023A2 Grays Harbor | \$19,000 |

JOHN M. CARMODY, Administrator.

[F. R. Doc. 38-1365; Filed, May 12, 1938; 3:29 p. m.]

[Administrative Order No. 247]

AMENDMENT OF ALLOCATIONS OF FUNDS FOR LOANS

MAY 10, 1938.

I hereby amend Administrative Order No. 125¹ by reducing the amount of the allocation to Alabama 8023B Pike from \$310,000 to \$243,350.

I hereby amend Administrative Order No. 124¹ by rescinding the \$97,500 allotted to Illinois 8004B Peoria.

JOHN M. CARMODY, Administrator.

[F. R. Doc. 38-1366; Filed, May 12, 1938; 3:29 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 11th day of May 1938.

¹ 2 F. R. 1707 (DI).

[File No. 7-235]

IN THE MATTER OF MARKET STREET RAILWAY COMPANY COMMON STOCK, 6% CUMULATIVE PRIOR PREFERENCE STOCK, 6% CUMULATIVE PREFERRED STOCK, AND 6% NON-CUMULATIVE SECOND PREFERRED STOCK, EACH \$100 PAR VALUE

ORDER SETTING HEARING ON APPLICATION TO EXTEND UNLISTED TRADING PRIVILEGES

The San Francisco Stock Exchange, pursuant to Section 12 (f) of the Securities Exchange Act of 1934, as amended, and rule JF1 promulgated thereunder, having made application to the Commission to extend unlisted trading privileges to the Common Stock, \$100 Par Value, 6% Cumulative Prior Preference Stock, \$100 Par Value, 6% Cumulative Preferred Stock, \$100 Par Value, and 6% Non-Cumulative Second Preferred Stock, \$100 Par Value, of Market Street Railway Company; and

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10 A. M. on Wednesday, June 1, 1938, in Room 1301, Securities and Exchange Commission, 625 Market Street, San Francisco, California, and continue thereafter at such times and places as the Commission or its officers herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That Howard A. Judy and Charles R. Burr, or either of them, officers of the Commission, be and they hereby are designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 38-1377; Filed, May 13, 1938; 12:35 p. m.]

